



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON 25

B-150:23

March 21, 1963

2/5/63
mmms
Honorable Bernard L. Boutin
Administrator, General Services
Administration

Dear Mr. Boutin:

On February 26, 1963, you submitted for our decision the question whether the amount payable for the cost of the preparation of the remains of a deceased General Services Administration employee who was officially stationed at Juneau, Alaska, and who died while in a travel status at Wrangell, Alaska, is covered by Part II or Part III of Executive Order No. 8557, dated September 30, 1940, issued pursuant to the act of July 8, 1940, 5 U.S.C. 103a, as amended by Executive Order No. 10209, dated February 1, 1951.

You refer to our decision at 39 Comp. Gen. 716 in which we held that after the admission of Alaska and Hawaii as States, the benefits payable under the 1940 statute in the case of Government employees dying within those jurisdictions would be the same as those for employees stationed elsewhere within the United States rather than those applicable in the case of employees stationed in the Territories or possessions, etc. Thus, employees who die while in a travel status in Alaska or Hawaii away from their official stations in either of those States are within the term "United States" as used in the statute.

Section 3, Part II, of the Executive order, as amended, applicable in the case of employees who die while traveling on official business "within the continental limits of the United States" as provided in section 2 thereof, limits to \$150 the allowable costs of preparation of remains. On the other hand, section 6, Part III, applicable in the case, among others, of employees who die while traveling on official business "outside the continental limits of the United States" as provided in section 5, does not specify any limitation on the allowable costs of such preparation. The benefits for transportation of remains are the same in either event.

Section 1(e), Part I, of Executive Order No. 8557, defines "Continental United States" as meaning the 48 States and the District of Columbia. We note that no amendment has been made to such Executive order since the date of Alaska's admission as one of the United States.

B-150928

In view of the definition of "Continental United States" contained in Executive Order No. 8557, we hold that the allowable costs of preparation of remains of employees who die while traveling on official business in Alaska or Hawaii are governed by Part III of the Executive order rather than Part II.

Your submission is answered accordingly.

Sincerely yours,

JOSEPH CAMPBELL
Comptroller General
of the United States